

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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PEOPLE OF THE STATE OF NEW YORK

Plaintiff,

-v.-

Civil Action No.  
5:14-cv-1466 (GLS/ATB)

DAVID L. GIST

Defendant.

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APPEARANCES:

OF COUNSEL:

**FOR THE PLAINTIFF:**

No Appearances Made

**FOR THE DEFENDANT:**

DAVID L. GIST  
Plaintiff *Pro Se*  
156 S. Main Street Front  
Cortland, New York 13045

GARY L. SHARPE,  
CHIEF JUDGE

**ORDER**

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Andrew T. Baxter, duly filed December 15, 2014. Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties

herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED that the Report-Recommendation of Magistrate Judge Andrew T. Baxter filed December 15, 2014 (Dkt. No. 3) is **ACCEPTED** in its entirety for the reasons stated therein; and it is further

ORDERED that this action is **DENIED** and **DISMISSED**; and it is further

ORDERED that the Clerk of the Court is directed to close this case; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties in accordance to the local rules.

IT IS SO ORDERED.

Dated: January 29, 2015  
Albany, New York

  
Gary L. Sharpe  
Chief Judge  
U.S. District Court